



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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INSPECTION REPORT

Partial: Complete: X Exploration:
Inspection Date & Time: May 11, 1999, 10:00 AM to 5:00 PM
Date of Last Inspection: April 29, 1999

Mine Name: Wellington Preparation Plant County: Carbon Permit Number: ACT/007/012
Permittee and/or Operator's Name: Nevada Electric Investment Company (NEICO)
Business Address: c/o Mt. Nebo Scientific, Box 337, Springville, UT
Type of Mining Activity: Underground Surface Prep. Plant X Other
State Officials(s): Paul Baker
Company Official(s): Patrick Collins (NEICO) and Vicky Miller (EarthFax representing Covol)
Federal Official(s): Henry Austin
Weather Conditions: Clear, 40-50's
Existing Acreage: Permitted- 1699.8 Disturbed- 392 Regraded- 1.5 Seeded- 1.5 Bonded- 744
Increased/Decreased: Permitted- 0 Disturbed- 0 Regraded- 0 Seeded- 0 Bonded- 0
Status: Exploration/ X Active/ Inactive/ Temporary Cessation/ Bond Forfeiture
Reclamation (Phase I/Phase II/Final Bond Release/Liability Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- 1. Substantiate the elements on this inspection by checking the appropriate performance standard.
a. For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
b. For partial inspections check only the elements evaluated.
2. Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

Table with 5 columns: Item, EVALUATED, N/A, COMMENTS, NOV/ENE. Contains 21 rows of inspection items with checkboxes for evaluation status.

## INSPECTION REPORT

(Continuation sheet)

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PERMIT NUMBER: ACT/007/004

DATE OF INSPECTION: May 11, 1999

(Comments are Numbered to Correspond with Topics Listed Above)

### 1. Permits, Change, Transfer, Renewal, Sale

On May 7, 1999, the permittee requested an extension of thirty days to complete the requirements for abating violation N98-41-5-1. The permittee intends to submit cross sections showing the enlarged topsoil pile near the coarse refuse pile. Also, rather than waiting for the bond release/postmining land use change to be approved, the permittee plans to breach the berm near the plant sediment pond and to submit a map showing the location of the berm. The abatement date was changed to June 9, 1999.

The bond release and postmining land use change are still on hold pending further information from the company intending to build a coal loadout.

On March 10, 1999, the Division received an application to transfer the permit from NEICO to WCP Development. On April 27, 1999, the Division sent a letter to NEICO and WCP outlining problems with the transfer application. The Division has received a \$3 million bond intended to replace NEICO's existing bond, but this cannot be accepted until the bond release and postmining land use change are approved. The Division has received a May 21, 1999, letter from Jim Scott, representing WCP, requesting that the Division hold the #3 million bond for at least two weeks.

### 4. Hydrologic Balance

#### c. Other Sediment Control Measures

The report for the April inspection noted a few places where straw bales needed to be maintained. This has been done.

#### d. Water Monitoring

Field conductivity measurements for the fourth quarter of 1998 and first quarter of 1999 do not appear to be correct. Some of the measurements are extremely low ( $4-5 \mu\text{mhos}\cdot\text{cm}^{-1}$ ), and some are not consistent with previous results. Sharon Falvey, Division hydrologist, went with the consultant taking the samples and determined the problem was primarily with how the meter was being read. Most of the results were off by a factor of ten. With this information, it will be possible to correct most of the field conductivity measurements, and the Division will be able to use lab results for the others where very precise measurements are not critical. (The results that cannot be corrected are for sites where the measurements are traditionally in the tens of thousands, so the differences between the lab and field measurements are *relatively* small.)

#### e. Effluent Limitations

UPDES Discharge Monitoring Reports were not available during the inspection but were received later.

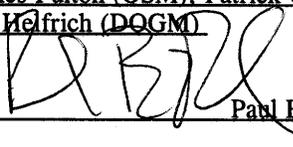
### 13. Revegetation

As we suspected would happen, there are numerous seedlings emerging on the enlarged topsoil pile and in the areas where the two topsoil piles were along the road. The enlarged topsoil pile was planted with the interim seed mix, and the other areas were planted with the final reclamation seed mix.

#### Copy of this Report:

Mailed to: James Fulton (OSM), Patrick Collins (NEICO/Mt. Nebo Scientific)

Given to: Joe Helfrich (DQGM)

Inspector's Signature:  Paul B. Baker #41 Date: June 9, 1999